

# **Exhibit F**

Confidential  
30(B)(6) NPBL by designee CANNON MOSS - February 14, 2020

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION

CSX TRANSPORTATION, INC.,	)	
Individually and on behalf	)	
of NORFOLK & PORTSMOUTH	)	
BELT LINE RAILROAD	)	
COMPANY,	)	
	)	
Plaintiff,	)	
	)	
V.	)	NO. 2:18cv530
	)	
NORFOLK SOUTHERN RAILWAY	)	
COMPANY, NORFOLK &	)	
PORTSMOUTH BELT LINE	)	
RAILROAD COMPANY, JERRY	)	
HALL, THOMAS HURLBUT,	)	
PHILIP MERILLI and CANNON	)	
MOSS,	)	
	)	
Defendants.	)	

C O N F I D E N T I A L

30(b)(6) DEPOSITION UPON ORAL EXAMINATION OF  
NPBL by its designee CANNON MOSS  
TAKEN ON BEHALF OF THE PLAINTIFF  
Norfolk, Virginia  
February 14, 2020

Confidential

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1 A The rate for when we switch a customer?

2 Q (Nodding)

3 A Is charged to the railroad bringing in  
4 the freight.

5 Q Is there -- so there's no charge from the  
6 Belt Line to, say, a PMT or a VIT for coming onto  
7 the --

8 A Not for coming on the property.

9 Q Okay. Are you aware of any charges that  
10 the Belt Line pays to VIT, NIT, PMT, VIG?

11 A Any charges the Belt Line pays to them?

12 Q To them, yeah.

13 A No.

14 Q Okay. Are you aware of any revenue that  
15 is received from the entities I just mentioned to the  
16 Belt Line for services provided?

17 A Yes, we have gotten revenue from the port  
18 before for various moves. We handle the windmill  
19 blades and we had a special switch charge, so every  
20 time we spotted them, the port had to pay for that.

21 Q So there are specific instances when the  
22 port will actually be a customer of the Belt Line and  
23 pay for its services?

24 A Yes.

25 Q Okay. Do you know how much of the

1 Belt Line's revenue is derived from providing services  
2 for its customers?

3 A All of it.

4 Q Do you know --

5 A All of it, except for we have some  
6 leases, signs at Port Norfolk, and they have a building  
7 we lease out. The majority of it is from switching  
8 services for our customers.

9 Q When you say "majority," you correct me,  
10 is it probably over 90 percent?

11 A Yes.

12 Q Okay. Under the present management of  
13 the Belt Line, you are the president and general  
14 manager.

15 You have one vice president?

16 A Two.

17 Q Okay. And who are they and what are  
18 their titles?

19 A There's Donna Coleman, she's the  
20 vice president, corporate secretary and comptroller and  
21 Bill O'Brien who is the vice president of operations.

22 Q How long has Miss Coleman been an  
23 employee of the Belt Line?

24 A About 11, 12 years.

25 Q And do you know where she was employed

1 A Correct.

2 Q And what is the adjustment that's being  
3 factored in from the projected results for the  
4 projected results adjusted?

5 A I believe it was for the injury accrual.

6 Q Operating expense per car was -- the goal  
7 was \$208 and the projected results adjusted was 214.  
8 So that's -- that goal was also not met; correct?

9 A Correct.

10 Q Would the operating expense per car go  
11 down with a volume increase?

12 A In theory, yes.

13 Q From your experience, is that true?

14 A Yes.

15 Q Okay. If we look at the second page of  
16 what we collectively marked as this exhibit, what is  
17 this chart or these figures representing?

18 A The goals for the 2017 bonus program.

19 Q So by -- am I following this correctly by  
20 2017, we've got an operating expense or goal of 218?

21 A I would assume so.

22 Q Do you know who prepared this document?

23 A I did. But given -- I don't know what  
24 context. It's got exhibit numbers. I don't know -- I  
25 put together something like this for the board, but